

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

TONY E. BRANTLEY,	)	
	)	
Petitioner,	)	
	)	
vs.	)	Case No. CIV-08-0566-F
	)	
MARTY SIRMONS, Warden,	)	
	)	
Respondent.	)	

**ORDER**

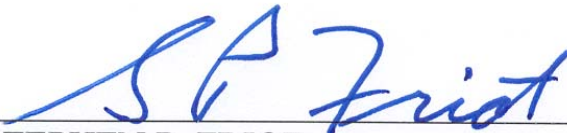
This action seeks habeas relief under 28 U.S.C. § 2254. Petitioner appears *pro se*, and his pleadings are liberally construed.

Magistrate Judge Doyle W. Argo entered his Report and Recommendation in this matter on December 17, 2008, recommending that the petition be denied. (Doc. no. 21.) The Report also recommends denying petitioner's motion for an evidentiary hearing. (Motion, doc. no. 4.) Petitioner filed a timely and detailed objection to the Report, objecting to the magistrate judge's recommended findings and conclusions. (Doc. no. 24.) Accordingly, the court reviews all objected to issues *de novo*.

After careful study of petitioner's objections, the Report, the record, and the relevant legal authorities, the court finds and concludes that it concurs with the magistrate judge's determinations. The court further finds that no purpose would be served by repeating the magistrate judge's determinations or by presenting any additional analysis here. Accordingly, the Report and Recommendation of Magistrate Judge Argo is **ACCEPTED, ADOPTED, and AFFIRMED** in its entirety. The

Petition for a Writ of Habeas Corpus is **DENIED**. Petitioner's motion for an evidentiary hearing is also **DENIED**.

Dated this 26<sup>th</sup> day of January, 2009.

  
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STEPHEN P. FRIOT  
UNITED STATES DISTRICT JUDGE

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